

REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action dated June 6, 2007.

Claim Rejections - 35 USC § 103(a)

In the previous response on this case, the Applicant did not argue that Sekendur fails to teach a position-coding pattern on a page. What the Applicant argued is that the Examiner had failed to provide any evidence that the skilled person had sufficient motivation to combine the teachings of Johnson and Sekendur.

The sole motivation, as argued by the Examiner, for combining the teachings of the cited documents is “providing ease for the user”. This vague statement is not, in the Applicant’s submission, sufficient to establish a *prima facie* case of obviousness.

With reference to MPEP 2143.01, the Examiner is requested to consider the findings of *In re Lee*, 277 F.3d 1338, 1342-44, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002). That Decision discusses the importance of relying on objective evidence and making specific factual findings with respect to the motivation to combine references.

In the present case, the Examiner has presented no objective evidence and made no specific factual findings to support his assertion that there was motivation to combine the cited references. A mere allegation of “providing ease for the user” falls well short of the criteria required to support a *prima facie* case of obviousness, with respect to the motivation to combine references.

Notwithstanding the above, the Applicant has now amended claim 1 to more clearly distinguish the present invention from Sekendur. In particular, the subject-matter of claim 2 has been combined with claim 1. Further, claim 1 now specifies “maintaining a page description ...” in the computer system, which finds explicit basis at page 11, lines 8-12 of the description.

In the Applicant’s submission Sekendur fails to teach the feature of “maintaining a page description” to enable interpretation of data received from his optically imaging pen. On the contrary, Sekendur is concerned only with capturing handwriting inputted by an optically imaging pen and does not contemplate interpreting pen positions or movements by referring to a page description for a particular page. None of the other cited documents makes up for this shortcoming of Sekendur. Accordingly, the Applicant maintains that the present invention is not obvious in view of Sekendur, even if *arguendo* the skilled person had had sufficient motivation to combine Sekendur with Johnson or the other cited documents.

Specification

The amendment to the co-pending applications paragraph on page 1 is merely to update the application numbers to patent numbers. The Applicant submits that this amendment introduces no new matter.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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